

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>09-360</u>
v.	:	DATE FILED: _____
TROY DAVIS	:	VIOLATION:
	:	18 U.S.C. § 654 (theft by government
	:	employee - 2 counts)
	:	18 U.S.C. § 659 (theft from interstate or
	:	foreign shipments by carrier - 1 count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

From in or about February 2009 through on or about March 31, 2009, in
Philadelphia, in the Eastern District of Pennsylvania, defendant

TROY DAVIS

an officer and employee of the United States, that is, a Transportation Security Officer at the
Philadelphia International Airport, for the Transportation Safety Administration, Department of
Homeland Security, an agency of the United States, embezzled and wrongfully converted to his
own use the property of another which came under his control in the execution of his
employment, which property had a value exceeding \$1,000, that is, an Apple MacBook laptop
computer, serial number W881027U0P1.

In violation of Title 18, United States Code, Section 654.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 31, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

TROY DAVIS

knowingly and unlawfully took and concealed, with intent to convert to his own use, baggage and its contents with a value exceeding \$1,000, that is, three Gateway M-Series SA-1 laptop computers, serial numbers 1015606R0082700A762600, 1015606R00826043572600 and 1015606R0082700E3A2600, one Compaq Presario CQ60 laptop computer, serial number 2CE90B2PD, and a Sony Play Station Portable PSP-3000, serial number 109226851, valued in excess of \$1,000 which was baggage on an aircraft operated by a common carrier moving in interstate commerce.

In violation of Title 18, United States Code, Section 659.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 31, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

TROY DAVIS,

an officer and employee of the United States, that is, a Transportation Security Officer at the Philadelphia International Airport, for the Transportation Safety Administration, Department of Homeland Security, an agency of the United States, embezzled and wrongfully converted to his own use the property of another which came under his control in the execution of his employment, which property had a value exceeding \$1,000, that is, three Gateway M-Series SA-1 laptop computers, serial numbers 1015606R0082700A762600, 1015606R00826043572600 and 1015606R0082700E3A2600, one Compaq Presario CQ60 laptop computer, serial number 2CE90B2PD, and a Sony Play Station Portable PSP-3000, serial number 109226851.

In violation of Title 18, United States Code, Section 654.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 659, as set forth in this indictment, defendant

TROY DAVIS

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds obtained directly or indirectly from the commission of such offenses, including, but not limited to, the following:

- (a) one Gateway M-Series SA-1 laptop computer, serial number 1015606R0082700A762600;
- (b) one Gateway M-Series SA-1 laptop computer, serial number 1015606R00826043572600;
- (c) one Gateway M-Series SA-1 laptop computers, serial number 1015606R0082700E3A2600;
- (d) one Compaq Presario CQ60 laptop computer, serial number 2CE90B2PD;
and
- (e) one Sony Play Station Portable PSP-3000, serial number 109226851.

If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable by Title 28, United States Code, Section 2461(c).

A TRUE BILL:

GRAND JURY FOREPERSON

MICHAEL L. LEVY
United States Attorney